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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Manuel Bandres Oto, et al.,

10 Plaintiffs,

11 v.

12 Airline Training Center Arizona, Inc.,

13 Defendant.
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No. CV-16-01027-PHX-DJH

ORDER

15 This matter is before the Court on Plaintiffs' Motion Requesting Extension of
16 Deadline to File Cases in Germany from December 31, 2017 to March 31, 2018 (Doc.
17 67), filed on December 15, 2017. Defendant has filed a Response in Opposition (Doc.
18 68) and Plaintiffs have filed a Reply (Doc. 69).

19 In the original Order (Doc. 50) granting Defendant's motion to dismiss based on
20 *forum non conveniens*, the Court imposed several conditions. Among them, the Court
21 required Defendant to waive any available statute of limitations defenses in Germany,
22 provided that Plaintiffs file the case in Germany within 180 days of the Order. Plaintiffs
23 previously requested, and the Court granted, an approximately three-month extension of
24 that deadline (Doc. 66). Plaintiffs now request another three-month extension.

25 The Court has reviewed the motion, response and reply and finds that Plaintiffs
26 have shown good cause for one final extension of the deadline to file their claims in
27 Germany. The service of process delays with respect to the "representative case" that
28 was filed in Germany on May 17, 2017, warrant one additional three-month extension of


1 time. Plaintiffs are warned, however, that no other extensions of the deadline to file their
2 complaints in Germany will be granted. Thus, to the extent Plaintiffs intend to continue
3 to file only “representative case[s] . . . in order to obtain a ruling which would offer
4 guidance as to whether the German courts would accept jurisdiction of these cases[,]”
5 they run the risk of this Court’s deadline expiring. The Court will not consider any other
6 motions by Plaintiffs to extend the deadline to file their claims in the German courts. By
7 the time this final deadline expires, more than a year will have passed since this Court
8 issued its ruling on the motion to dismiss. Plaintiffs must plan accordingly.

9 For these reasons,

10 **IT IS ORDERED** that Plaintiffs’ Motion Requesting Extension of Deadline to
11 File Cases in Germany from December 31, 2017 to March 31, 2018 (Doc. 67) is
12 **GRANTED**. The new deadline for Plaintiffs to file their actions against Defendant in
13 Germany is **March 31, 2018**.

14 **IT IS FURTHER ORDERED** that **no further extensions of this deadline will**
15 **be granted and Plaintiffs must plan their activities accordingly.**

16 Dated this 28th day of December, 2017.

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20 Honorable Diane J. Humetewa
21 United States District Judge
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